



Attorney's Docket No.: 06497-013001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James C. Liao

Art Unit : 1652

Serial No. : 09/626,612

Examiner : Rebecca E. Prouty, Ph.D.

Filed : July 27, 2000

Title : ENGINEERING OF METABOLIC CONTROL

Commissioner for Patents
Washington, D.C. 20231

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DECLARATION OF DR. JAMES C. LIAO UNDER 37 C.F.R. 1.132

TECH CENTER 1600/2900

I, James C. Liao, a citizen of the United States, residing in Los Angeles CA, hereby declare:

1. I am a professor in the Department of Chemical Engineering at the University of California, Los Angeles. I received my Ph.D. from the University of Wisconsin-Madison in 1987. My professorial responsibilities include directing a research program in metabolic engineering and supervising graduate student research.
2. I am the inventor of the subject matter which is claimed in the above-referenced United States patent application. I have read and understand the patent application. I am familiar with the application's present claims.
3. I am a co-author of the reference "Improving lycopene production in *Escherichia coli* by engineering metabolic control," *Nature Biotechnology* Vol:18, page 533-537, dated May 2000. The other author of this reference is William R. Farmer, a graduate student in my laboratory in May 2000. William R. Farmer conducted a number of the experiments described in this publication under my direction and supervision. He did not have any input in the design of the invention as presently claimed in the above-reference United States patent application.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

3/3/03
Date of Deposit

Signature

J. C. Liao

Typed or Printed Name of Person Signing Certificate

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4. I am familiar with the short caption "Feedback regulation in metabolic engineering" by "JJ", *Nature Biotechnology*, Vol. 18, page 480, dated May 2000. This caption, which appeared in the same issue of *Nature Biotechnology* as the "Improving lycopene production in *Escherichia coli* by engineering metabolic control" article, is a short summary of the article and is entirely derived therefrom. ?
5. All statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



James C. Liao, Ph.D.

3/3/2003

Date